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*Attorneys for Defendants*  
 KEVIN SPACEY FOWLER and  
 M. PROFITT PRODUCTIONS, INC.

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

JOHN DOE, an individual,	)	Case No.: 2:19-cv-00750-RSWL (SSx)
	)	
Plaintiff,	)	<b>SUPPLEMENTAL</b>
	)	<b>DECLARATION OF JAY P.</b>
vs.	)	<b>BARRON IN SUPPORT OF</b>
	)	<b>DEFENDANTS' MOTION TO</b>
KEVIN SPACEY FOWLER, an	)	<b>DISMISS PLAINTIFF JOHN</b>
individual, M. PROFITT	)	<b>DOE'S CLAIMS OR,</b>
PRODUCTIONS, INC., a California	)	<b>ALTERNATIVELY, TO</b>
Corporation, and DOES 1-9, inclusive.	)	<b>REQUIRE PLAINTIFF TO</b>
	)	<b>PROVIDE A MORE DEFINITE</b>
Defendant.	)	<b>STATEMENT</b>
	)	
	)	<b>[Fed. R. Civ. P. 12(b)(6), (e)]</b>
	)	
	)	Date: April 16, 2019
	)	Time: 10:00 a.m.
	)	Dept.: TBD
	)	
	)	Complaint Filed: September 27, 2018
	)	

1 I, Jay P. Barron, declare as follows:

2 1. I am an attorney duly admitted to practice in the State of California and  
3 in the United States District Court for the Central District of California. I am senior  
4 counsel with the law firm Keller/Anderle LLP, counsel of record for Defendants  
5 Kevin Spacey Fowler (“Mr. Fowler”) and M. Profitt Productions, Inc. I make this  
6 declaration in support of Defendants’ Motion To Dismiss Plaintiff John Doe’s Claims  
7 Or, Alternatively, To Require Plaintiff To Provide A More Definite Statement (the  
8 “Motion”), and to supplement my earlier declaration in support of the Motion. I have  
9 personal knowledge of the information stated below and could testify to it under oath.

10 2. In his opposition to the Motion (ECF No. 36), Plaintiff relies on articles  
11 from The Daily Mail and TMZ to argue that Defendants’ *ex parte* application seeking  
12 Plaintiff’s compliance with Rule 26(f) (*see* ECF No. 31) was “to appease demands  
13 from a high-profile client” because such articles allegedly report a meeting between  
14 Mr. Fowler and me on March 13, 2019. Without disclosing or waiving any attorney-  
15 client privilege, work product protection, or any other rights, I will state that I did not  
16 meet with Mr. Fowler on March 13, 2019, and the suggestion that the *ex parte*  
17 application was the result of “demands from a high-profile client” is false. Instead,  
18 as outlined in the *ex parte* application itself, that application was necessitated by  
19 Plaintiff’s counsel’s emphatic and continued refusal to engage with my firm in the  
20 meet and confer conference required under Federal Rule of Civil Procedure 26(f).

21 I declare under the penalty of perjury that the foregoing is true and correct to  
22 the best of my knowledge.

23 Executed on April 2, 2019.

24  
25 /s/ Jay P. Barron

26 Jay P. Barron  
27  
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am over the age of 18 and not a party to the within action. My business address is 18300 Von Karman Avenue, Irvine, California 92612-1057. On **April 2, 2019**, I served the foregoing document described as

**SUPPLEMENTAL DECLARATION OF JAY P. BARRON IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS PLAINTIFF JOHN DOE'S CLAIMS OR, ALTERNATIVELY, TO REQUIRE PLAINTIFF TO PROVIDE A MORE DEFINITE STATEMENT**

on the following-listed attorneys who are not on the list to receive e-mail notices for this case (who therefore require manual notice) by the following means of service:

SERVED BY U.S. MAIL: There are currently no individuals on the list to receive mail notices for this case.

SERVED BY CM/ECF. I hereby certify that, on **April 2, 2019**, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. The filing of the foregoing document will send copies to the following CM/ECF participants:

The following are those who are currently on the list to receive e-mail notices for this case.

Genie Harrison, genie@genieharrisonlaw.com  
Amber Phillips, amber@genieharrisonlaw.com  
Mary Olszewska, mary@genieharrisonlaw.com

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on **April 2, 2019** at Irvine, California.

/s/ Courtney L. McKinney

Courtney L. McKinney